

**Board of Selectmen Meeting Minutes**  
**November 22, 2011**  
**Town Hall Annex Meeting Room**

**Members Present:** Chairman Florence Seldin, Timothy Roper, and David Whitcomb also present Jill Goldsmith, Town Manager. Len Sussman and Sean Summers were absent.

Chairman Florence Seldin called the meeting to order at: 4:06 pm.

**I. Public Forum**

No public comment

**II. New Business**

**A. Committee Update - Historical Commission**

Mr. Robert Oliver, Chairman, Chatham Historical Commission provided an overview of the Commission's activities over the last year. The commission has heard 8 applications for partial/full demolition of historic structures and expects to complete the year having heard a total of 11 applications. This is down from 21 applications in 2010 and 18 in 2009. One demolition delay of 90 days was imposed for the purpose of advertising the property should an interested party wish to salvage the building.

The Commission has continued its policy of encouraging homeowners to informally address the Commission of ask for an informal site visit prior to filing an application. Homeowners have often modified their plans in order to minimize areas of potential conflict.

New initiatives of the Commission in 2011 include:

- The Tercentennial Historical House Marker Program – 146 plaques have been ordered by owners
- Interpretive sign program for Main Street
- Sponsorship of state-wide legislative change allowing for Alternate Members to serve on Historical Commissions
- Determination of the North Beach Island Camps as historically significant and support for eligibility on the National Register of Historic Places
- Determination of 637 Main Street as historically significant
- Research into possible updates to the Civil War Monument on Main Street
- Re-establishing the Benjamin Godfrey Grist Mill to working condition in time for its grand opening on May 19, 2012

**B. Request to Place Signs on Town Property:**

- i. Atwood House Museum's day After Thanksgiving Event (Kealyn Garner)

MOTION by Mr. Roper: to approve the request to place signs at the rotary, one at Oyster Pond and one at Scout Hall.

Seconded by: Mr. Whitcomb

**Vote: 3-0-0**

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- ii. Christmas By-The-Sea Stroll  
Sandy Wycoff, Requesting sign at the rotary announcing events  
Friday, December 9<sup>th</sup> from 5:00 pm to 9:00 pm  
Saturday, December 10<sup>th</sup> during normal business hours.

MOTION by Mr. Roper: to approve the request to place a sign for the 33<sup>rd</sup> Annual Christmas by the Sea Stroll

Seconded by: Mr. Whitcomb

**Vote: 3-0-0**

- C. Barnstable County Commissioners – FY 2011 Town Services Report presented by Commissioners Bill Doherty and Mary Pat Flynn

Mr. Doherty stated a key purpose of the Commissioners giving the annual update to the Board of Selectmen is to inform the citizens on what Barnstable County is doing, specifically with Chatham.

Barnstable County conducted 103 separate activities/programs in Chatham which resulted in \$58,000 in grants, loans and savings to the community. Some highlights of the programs/activities include:

- The Commission provided \$10,837 in District Local Technical Assistance funds to help conduct visioning work to develop and coordinate land use planning and roadway improvements for the Rte. 28 corridor in West Chatham.
- The Cape Cod Cooperative Extension had the most activity accounting for approximately \$30,000 in grants.
- Cooperative Extension provides 4-H babysitting courses
- Over 64,000 pounds of hazardous waste was collected at the six regional hazardous household waste collections
- 194 sharps containers were paid for and provided by Cape Cod Cooperative Extension to the Town of Chatham for distribution to the general public. The disposal cost for all sharps containers returned to the Town was paid for by Barnstable County/Cape Cod Cooperative Extension.
- A workshop for foodservice employees and volunteers was held for 14 participants in collaboration with the Chatham Board of Health.
- Children's Cove conducted two Sexual Abuse Intervention Network interviews.
- Fire Training Academy – 22 students from Chatham
- Resource Development Office/AmeriCorps Cape Cod

Ms. Flynn spoke about what the County is doing to plan for the future. Commissioners are looking in two directions:

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*Internally:* looking at the core services provided by the County to see how relevant they are, if they are they working, are the towns utilizing the services, and a cost analysis of services.

*Externally:* looking at the structure of County government. Special Commission of 23-24 volunteers to examine what county government should look like and whether or not should it be restructured. The Special Commission is looking into the option of there being five commissioners instead of three. They are also looking at the Assembly of Delegates and if it has been a useful legislative group. The Special Commission has been meeting since September and is expected to have proposal to present to the public in mid-January.

Mr. Whitcomb asked the Commissioners to elaborate on the services provided by the Fire Training Academy.

Mr. Doherty stated the Fire Training Academy provides state-of-the-art equipment and facilities. The value assigned to the 22 students who attended the Fire Academy was \$4,150 for 46 days of training resulting in 402 training hours. The Academy provides a well-organized simulation for fire fighters.

Ms. Flynn added the training meets state standards and in certain instances the Training Academy staff will come to the Town to provide training when appropriate rather than have personnel go to the County.

Mr. Roper asked to the Commissioners to elaborate the role of the Resource Development Office.

Mr. Doherty explained the Resource Development office manages identification of grant opportunities as well as compiling the grant applications. The Resource Development Office is also responsible for the placement and oversight of the AmeriCorps Personnel.

Mr. Whitcomb asked what the County Commissioners role is in Wastewater on the Cape.

Ms. Flynn responded the County has no specific role as they have no governing authority over individual towns. It is each individual Town's responsibility to have a comprehensive wastewater plan. Through the Cape Cod Commission (Technical Services) they have received \$100,000 grant from the State which will help the Town's move their wastewater plans forward.

- D. Orpheum Theatre Project – Request approval to set-up an information booth in front of 637 Main Street (formerly CVS) over Thanksgiving holiday weekend (Naomi Turner)

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Naomi Turner requested permission to have volunteers on Main Street over the holiday weekend to provide information on the Orpheum Theatre project. They would place a table in front of the building which is expected to be completely on private property staffed by informed adults. The group also intends to give away popcorn. The hours are expected to be Friday, November 25<sup>th</sup> from 10:00 am to 4:00 pm with similar hours on Saturday, November 26<sup>th</sup>.

Mr. Whitcomb asked if they requested permission to set-up inside due to the number of people who will most likely be interested in obtaining information on this project. Ms. Turner stated they had not asked but will do so.

MOTION by Mr. Roper: to approve the request of the Orpheum Theatre group to set-up this display in front of former CVS

Seconded: Mr. Whitcomb

**Vote: 3-0-0**

- E. Shellfish Advisory Committee – Approval to place propane cannons in Chatham Harbor
- Mr. Likos, Vice Chairman of the Shellfish Advisory Committee gave a power point presentation regarding the proposed experimental trial of the use of propane cannons to protect the blue mussel set in Chatham Harbor from Eider duck consumption throughout the winter months. On November 10<sup>th</sup>, the members of the Shellfish Advisory Committee voted 6-0 to urge the BOS to consider the experimental use of three noise cannons in Chatham Harbor for the purpose of deterring the consumption of shellfish by Eider ducks.

Blue Mussels have been a lucrative commercial crop in Chatham for many years. The mussel sets appear naturally in different areas when the right conditions exist. Mussels live on the surface and are therefore more prone to consumption by predators like crabs, star fish and sea ducks. Since, harvests depend on mussel sets surviving predation and severe weather, the catch tends to fluctuate from year to year.

In 2010, the Shellfish Constable reported that a set of juvenile mussels ready for a potential spring harvest were completely wiped out by the ducks, destroying what could have been a record crop.

Eiders can completely wipe out a mussel set over the winter. The Eiders will also eat juvenile soft shell clams, such as steamers. With more sets of juvenile clams present, the Shellfish Advisory Committee feels it is important to protect this resource as well.

The cost for two propane noise cannons is \$400-\$500 each which will be paid for by the shellfish revolving fund. The third cannon will be purchased by individual commercial shell fishermen.

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The cannons would be used from now until late march during daylight hours. Interval shots will be about 20-30 minutes. The decibel levels of the cannons are between 100 decibels to 125 decibels. The proposed locations are two in Chatham Harbor and one in Pleasant Bay. The Harbormaster has offered the use of rafts which will be secured to moorings along with any lights or reflectors that may be needed for safety.

Mr. Roper questioned how the Town would respond to noise complaints from residents.

Mr. Likos responded the committee is open to suggestions. Perhaps they could submit complaints to Shellfish Constable and they will work towards an amicable solution.

Ms. Seldin suggested the committee communicate with Audubon Society since Tern Island is its property.

Mr. Whitcomb asked how the cannons would affect the return of the terns and the plovers in March. He added if the committee receives the ok from the Audubon society then he would be ok with supporting this experiment.

Mr. Likos said they would move the noise cannons away from the nesting sites.

Ms. Gagne, Shellfish Constable, spoke in support of this proposal. It is considered an experiment and they are not sure how well it will work. They will mitigate problems as they come along.

Ms. Seldin asked if there has been any notification to the public/concerned parties.

Mr. Likos replied as an advisory board they wanted to come before the BOS first to see what concerns they may have and then move forward from there.

Mr. Oliver, Old Harbor Road, North Chatham, voiced his concern about the noise of the cannons. He suggested the BOS support a testing to determine the noise levels and then hold further deliberations.

Mr. Likos responded they would be amenable to testing. They are willing to come to an amicable solution and open to moving the cannons should anyone voice complaints.

MOTION by Mr. Roper: to approve on a conditional basis with the following conditions:

1. Pending Audubon approval
2. If there are a large number of complaints it will come back to the BOS for review.

Seconded by: Mr. Whitcomb

**Vote: 3-0-0**

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F. Local Comprehensive Plan Review/Update; BOS Items (Continued from 11/15/11)

The BOS reviewed items OP31 through EE1 and provided status updates. Upon completion of the review/update the Local Comprehensive Plan goals will be updated to include the status as of 2011.

G. Town Manager's Report

Ms. Goldsmith stated the monthly Department Head Report from October 2011 is enclosed in the BOS packet. It is a comprehensive report with quantifiable data that showcases activities and promotes what each department does.

Mr. Whitcomb questioned the breakdown of the number of payroll checks printed for town and school employees do not add up to the total number of payroll checks printed.

Ms. Heilala suggested it is most likely a result of seasonal employees.

Ms. Seldin questioned what the impact would be to the Finance Department's workload after the school department is no longer under the Town purview.

Ms. Heilala stated it would free up some time and they are exploring other options such as partnering with the Eldredge Public Library to process their accounts payable.

At the request of Ms. Goldsmith, Ms. Heilala explained what tax title letters were. Tax title is initiated after someone is delinquent for two years with the payment of taxes.

Ms. Goldsmith announced Terry Whalen, Principal Planner/Department Head has submitted his resignation. His last day will be December 9<sup>th</sup>. Ms. Goldsmith and Mr. Panuczak have met regarding an intermediate succession plan and then a long term succession plan.

Ms. Seldin, on behalf of the BOS, thanked Terry for his service and wishes him the best of luck in his new position.

Ms. Goldsmith announced she was contacted Mr. Price and notified the Keeper has determined the five camps are not eligible for the National Register of Historic Places.

**III. Other Business**

Ms. Seldin spoke of the Water Protection Collaborative which is comprised of mostly selectmen from the 15 Cape towns. She is the Town's representative with Dr.

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Duncanson serving on the Technical Advisory Committee. People from several towns requested a National Science Foundation review of the UMASS models for the determination of the nitrogen TMDLs (total minimum daily load) however, no Town's or the State were willing to provide money. The County then agreed to support a review of the models. The governing board and technical advisory committee put together a panel of six scientists who presented a report and found the MEP modeling for the determination of the nitrogen TMDLs are functionally adequate and scientifically defensible.

Ms. Seldin requested a tour of the waste water treatment facility for the BOS on Dec 1<sup>st</sup> or Dec. 8<sup>th</sup>.

MOTION by Mr. Whitcomb: to adjourn.

Seconded by: Mr. Roper

**Vote 3-0-0**

Meeting adjourned at 6:17 pm.

Respectfully submitted

Kristin M. Sullivan